

# Exhibit 4

**From:** [nry4@aol.com](mailto:nry4@aol.com)  
**To:** [Thompson, James](#)  
**Subject:** Re: Capogrosso v. Gelbstein, et al. No. 18 Civ. 2710 (EDNY)  
**Date:** Thursday, March 19, 2020 3:32:24 PM  
**Attachments:** [image006.png](#)  
[image005.png](#)

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Your motion has been denied.

I need a copy of Judges order of March 19, 2020 **mailed to me , via US mail** per the Court's last order.

Again I do not consent to electronic service.

Mario H. Capogrosso

-----Original Message-----

**From:** Thompson, James <James.Thompson@ag.ny.gov>  
**To:** nry4@aol.com <nry4@aol.com>  
**Sent:** Tue, Mar 17, 2020 5:54 pm  
**Subject:** RE: Capogrosso v. Gelbstein, et al. No. 18 Civ. 2710 (EDNY)

Understood. We'll make our motion to the Court then.

Best,

James



**James M. Thompson | Assistant Attorney General**  
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Tel: (212) 416-6556 | [James.Thompson@ag.ny.gov](mailto:James.Thompson@ag.ny.gov)

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**From:** nry4@aol.com <nry4@aol.com>  
**Sent:** Tuesday, March 17, 2020 5:03 PM  
**To:** Thompson, James <James.Thompson@ag.ny.gov>  
**Subject:** Re: Capogrosso v. Gelbstein, et al. No. 18 Civ. 2710 (EDNY)

**[EXTERNAL]**

**No I do not agree.**

Absolutely not.

She can stay in the car - she is not around anyone - until she gets to the Courthouse and then she can practice social distancing like the rest of us.

Gelbstein is older than she is and he is being produced.

Absolutely not.

I do not consent to moving the Court - Court has already ruled on this matter.

Mario H. Capogrosso

-----Original Message-----

From: Thompson, James <[James.Thompson@ag.ny.gov](mailto:James.Thompson@ag.ny.gov)>  
To: [nry4@aol.com](mailto:nry4@aol.com) <[nry4@aol.com](mailto:nry4@aol.com)>  
Sent: Tue, Mar 17, 2020 4:38 pm  
Subject: Capogrosso v. Gelbstein, et al. No. 18 Civ. 2710 (EDNY)

Dear Mr. Capogrosso,

Ms. Traschen has asked me to reach out to you in order to see if you would be willing to take her deposition by remote means, pursuant to Federal Rule 30(b)(4), due to significant and valid concerns about exposing herself to the coronavirus when traveling to Brooklyn. Ms. Traschen is in her sixties and serves as the primary caregiver for her sister, who has a compromised immune system due to lupus. If she is required to travel to Brooklyn, she will be exposed to a significant number of people in traveling to the Courthouse and will need to self-quarantine prior to being in the same location as her sister, who she lives with.

Will you consent to having Ms. Traschen's deposition done remotely? Please let me know as soon as possible – ideally we would like to avoid a need to move the Court.

Best,

James



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